

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

\$110,000.00 IN UNITED STATES  
CURRENCY,

Defendant.

8:19-CV-531

ORDER AND DECREE OF  
FORFEITURE

This matter is before the Court on the parties' Joint Motion for Judgment and Decree of Forfeiture ([filing 114](#)). The motion will be granted.

A Complaint for Forfeiture *In Rem* ([filing 1](#)) was filed on December 3, 2019 as to \$110,000 in United States Currency. A Warrant for Arrest *In Rem* ([filing 4](#)) was issued and properly served on the by the United States Marshals Service. See [filing 7](#); [filing 8](#); [filing 9](#); [filing 10](#). Publication of the notice of this action and of the arrest of the defendant property was made pursuant to an order entered by the United States Magistrate Judge on December 3. [Filing 6](#). A claim was filed by claimant Julio Martinez on January 3, 2020 ([filing 12](#)) and an answer was filed on January 12 ([filing 13](#)) as to defendant property. An amended answer was filed on January 23. [Filing 15](#).

As directed by the Magistrate Judge's order ([filing 6](#)), a Notice of Forfeiture was posted beginning on December 4, 2019, on an official Internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), for at least 30 consecutive days, as required by [Supp. Admiralty and Maritime Claims R. G\(4\)\(a\)\(iii\)\(B\)](#). A declaration of publication ([filing 20](#)) was filed on February 3, and from a review of the Court file the Court finds no claims have been made other than that of the claimant, Julio Martinez.

The government and the claimant have stipulated ([filing 114-1](#)) that \$70,000 of the defendant property shall be forfeited to the government, and \$40,000 shall be returned to the claimant. On those terms, the parties' Joint Motion for Judgment and Decree of Forfeiture ([filing 114](#)) will be granted.

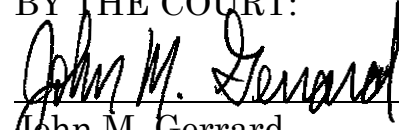
IT IS ORDERED:

1. The Motion for Judgment and Decree of Forfeiture ([filing 114](#)) is granted.
2. \$40,000 of the defendant property shall be released to the claimant, Julio Martinez.
3. Counsel for the claimant is directed to provide, to the Office of the United States Attorney for the District of Nebraska, any information necessary for the transfer of funds to the claimant's attorney, and to file a receipt of funds after receipt of the \$40,000.
4. All right, title, or interest in or to the remaining \$70,000 held by any person or entity are forever barred and foreclosed.
5. The remaining \$70,000 is forfeited to the plaintiff and shall be disposed of by the plaintiff in accordance with law.
6. When the claimant's receipt of funds is filed, the parties shall file a joint stipulation for dismissal, or other dispositive stipulation, which will fully dispose of the case.

7. The Clerk of the Court shall set a dismissal papers deadline for July 18, 2022.

Dated this 16th day of June, 2022.

BY THE COURT:

  
\_\_\_\_\_  
John M. Gerrard  
United States District Judge